

3 FAM 3650 DEATH GRATUITY

3 FAM 3651 AUTHORITY

(TL:PER-240; 3-17-95)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps/USDA)

(Applies to Foreign Service Employees Only)

—Section 413 of the Foreign Service Act of 1980, (22 U.S.C. 3973)

—Section 202 of the Act (22 U.S.C. 3922)

3 FAM 3652 APPLICABILITY

(TL:PER-240; 3-17-95)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps/USDA)

(Applies to Foreign Service Employees Only)

These regulations apply to Foreign Service employees of State, USAID, USIA, USDA, and Commerce who die as a result of injuries sustained in the performance of duty outside the United States, and to their surviving dependents.

3 FAM 3653 ELIGIBILITY

(TL:PER-240; 3-17-95)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps/USDA)

(Applies to Foreign Service Employees Only)

Survivors of any Foreign Service employee who died or dies as a result of injuries sustained in the performance of duty outside the United States will be eligible for the payment of this gratuity, provided the survivor is entitled to elect monthly compensation under 5 U.S.C. 8133, because the death resulted from an injury (excluding a disease proximately caused by the employment) sustained in the performance of duty, without regard to whether such survivor elects to waive compensation under that section. (See 3 FAH-1 H-3650)

3 FAM 3654 AUTHORITY TO APPROVE PAYMENTS

(TL:PER-240; 3-17-95)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps/USDA)

(Applies to Foreign Service Employees Only)

The following officials are authorized, subject to these regulations, to approve payment of a death gratuity to the surviving dependents of Foreign Service employees under their respective jurisdictions:

Agency	Authorized Official
State	A Deputy Assistant Secretary for Personnel
USAID	The Director, Office of Personnel and Training.
USIA	The Director, Office of Personnel (M/P or VOA/P).
USDA	A Deputy Assistant Secretary for Personnel, Department of Agriculture.
Commerce	The Director of Personnel and Civil Rights.

3 FAM 3655 GRATUITY BENEFIT

(TL:PER-240; 3-17-95)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps/USDA)

(Applies to Foreign Service Employees Only)

a. Each payment shall equal 1 year's salary of the employee at the time of death. Only the basic salary will be included, with the exception that charge pay will also be included in those cases where the employee was actually receiving charge pay at the time of death.

b. Any death gratuity payment made under this section shall be held to have been a gift and shall be in addition to any other benefit payable from any source.

3 FAM 3656 ORDER OF PAYMENT

(TL:PER-240; 3-17-95)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps/USDA)

(Applies to Foreign Service Employees Only)

A death gratuity payment under this section shall be made as follows:

- (1) First, to the widow or widower.
- (2) Second, to the child, or children in equal shares, if there is no widow or widower.
- (3) Third, to the dependent parent, or dependent parents in equal shares, if there is no widow, widower, or child.
- (4) If there is no such survivor entitled to payment, no payment shall be made.

3 FAM 3657 PROCEDURES AND GUIDELINES

(TL:PER-240; 3-17-95)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps/USDA)

(Applies to Foreign Service Employees Only)

Procedures and guidelines which must be followed in processing claims for a death gratuity are found in 3 FAH-1 H-3650.

3 FAM 3658 ADVISORY SERVICES

(TL:PER-240; 3-17-95)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps/USDA)

(Applies to Foreign Service Employees Only)

The Retirement Division (PER/RCT/RET) in State will provide interpretive and advisory services relating to policy aspects of death gratuity cases.

3 FAM 3659 UNASSIGNED